



Water Quality NewsFlash

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LA River/Ballona Metals TMDLs – Adoption delayed – As described in NewsFlash 04-31, these two TMDLs require major reductions in the concentration of copper, lead, and zinc in stormwater discharged to the LA River and to Ballona Creek. The TMDLs also include restrictive numeric limitations for construction site runoff. The TMDLs are controversial and the Los Angeles Regional Board decided to convert the hearing held on September 2 to a workshop. TMDL approval is therefore postponed until a later meeting. Board staff have been instructed to respond to the extensive written and oral comments in writing. In addition, they will investigate atmospheric deposition of these metals and other non-point sources. TMDLs are posted at: http://www.swrcb.ca.gov/rwqcb4/html/updates_news.html (page down).

San Diego Cr. / Newport Bay De Minimus Permit – Adoption delayed – The permit pertains to discharges which are insignificant or are short term (1 yr. or less in duration). The proposed permit conditions would require construction site dewatering and seepage dewatering discharges to reduce their nitrate loading by 50%. The permit also includes restrictive selenium limits, due to the high concentration of selenium in soils in the area. The selenium limits could be met by offsets since treatment is not readily available or practicable. The selenium requirements are intended to implement the EPA's Selenium TMDL (EPA TMDLs do not have implementation plans). Compliance with the proposed permit will be costly for some dischargers. A report submitted by several cities and others questioned the feasibility of the limits. At its August meeting, the Regional Board decided to delay adoption until at least November to allow Board staff more time to work on additional compliance options with the affected dischargers. Fact Sheet and draft permit: <http://www.swrcb.ca.gov/rwqcb8/pdf/08-13-04/14.pdf>

SPCC Plans – New requirements in effect – *Spill Prevention, Control and Countermeasure Plans* (SPCC Plans) are required for facilities that store oil or oil products above ground in amounts greater than specified limits (1320 gal. total). These plans are intended to prevent spills from reaching waterways and have some overlap with stormwater management plans. The most recent modification of SPCC requirements came into effect August 11, 2004. These modifications generally lessened and simplified the previous requirements. EPA presentation <http://interests.caes.uga.edu/watershed/pptfiles/spccpresentation1.ppt> Regulations: <http://www.epa.gov/oilspill/spccrule.htm>

Coastal Cleanup Day – 20th annual event set for Sept. 18 – It's not just coastal anymore - even Modoc, Imperial and other inland counties are involved. Check for local programs: <http://www.coastal.ca.gov/publiced/ccd/ccd.html>

Phrase of the Week: De Minimis – The full phrase in Latin is “*de minimis non curat lex*”: The law does not concern itself with trifles. In some situations, a regulatory agency may forgo regulating an insignificant (*de minimis*) discharge or may apply only limited restrictions. Recently, some Regional Boards have begun issuing de minimis permits for certain categories of small volume or short term discharges (although sometimes the restrictions appear substantial).

WQ NewsFlash is a weekly update of storm water and related news for the Department. *Verify information before taking action on these bulletins.* Contact Betty Sanchez, Betty_Sanchez@dot.ca.gov (916) 653-2115, or Fred Krieger, (510) 843-7889, fkrieger@msn.com with questions or to be added or deleted from e-mail list. Posted online at: <http://www.dot.ca.gov/hq/env/stormwater/publicat/newsflash/index.htm>